

tained in said city, not exceeding fifteen thousand; and as the city covers school section number thirty-six, in township number one north, of range number one west, the same may be embraced in such entry, and indemnity shall be given therefor when a grant shall be made by Congress of sections sixteen and thirty-six, in the Territory of Utah, for school purposes."

An act of the Utah Legislature, approved February 17th, 1889, prescribes the "rules and regulations" under which townsite lands were to be disposed of in this Territory, in pursuance of the laws of Congress. It provides that after the townsite shall have been entered:

Sec. 4. * * * "It shall be the duty of such corporate authorities or judge (as the case may be), and they are hereby directed and required to dispose of and convey the title to such land, or to the several blocks, lots, parcels or shares thereof to the persons entitled thereto, to be ascertained as herein-after prescribed."

The act then proceeds to prescribe the proceedings by which claimants of lands within the townsite entry obtain their titles, etc. Among the provisions of the act are the following:

Sec. 10. If there shall remain any unclaimed lands within the limits of such city or town after the expiration of six months from the publication of the notice provided in section three, the corporate authorities, in cases where the lands shall have been entered by them, and the judge of probate in cases where the lands shall have been entered by him, shall cause the same to be surveyed and laid out into suitable blocks and lots, and shall reserve such portions as may be deemed necessary for public squares, school houses or hospital lots, and shall cause all necessary streets, roads, lanes and alleys to be laid out through the same, a plat of which, properly certified, shall be recorded in the recorder's office of the county in which the same may be situated; and the mayor of such city or town, or judge as aforesaid may sell the lots and blocks so laid out—and not reserved for public use—in suitable parcels, to possessors of adjoining lands or to other citizens of such city or town, at a price not less than five dollars per acre, or fraction of an acre; and in case two or more persons apply for the same tract, they shall sell the same by auction to the highest bidder. And if any such lands remain unsold at the end of three months from the date of filing the plat thereof for record, as required herein, the corporate authorities or judge as aforesaid, shall have power and authority to sell such vacant lands at public and private sale in such manner and on such terms as they may deem advisable for the best interests of the city or town, and shall give deeds therefor to the several purchasers.

In pursuance of the foregoing laws the corporate authorities of this city entered a town site which embraced 3,760 acres, the amount allowed on the basis of a population of 15,000, and in due time a United States patent issued therefor. The tract of land on Arsenal Hill which Mr. Link, on the 13th inst., endeavored to jump, is embraced within that patent. We understand that that individual bases his action upon the alleged fact that the unclaimed lands within the city limits, which he tries to seize, were not surveyed and laid out into suitable blocks and lots, etc., and the record thereof filed, as required by section 10 of the territorial law above quoted.

But it will be observed that no time is specified within which such survey shall be made, and the failure to make and record it, is, at the utmost, no more than a neglect of duty on the part of municipal officers, and to hold that it invalidates an absolute patent issued before such neglect could have occurred, is preposterous. A United States patent to land can be attacked only on the ground of fraud, error, or other circumstance existing before its issuance. If, at the time a patent issues, no fact exists which, if shown, would vitiate it, it can never be attacked on account of any circumstance transpiring subsequent to its date. The patent issued to the corporate authorities of a city or town is in no way conditional, in respect to its validity and binding force, upon the future faithfulness of municipal officers in the discharge of their duties; and should they be derelict the people of the corporation cannot be robbed of valuable realty owned by them in a corporate capacity, by any unscrupulous adventurer whose method of gaining possession is by forcible entry and detainer.

If the corporate authorities have been derelict in not having the townsite lands within the town site limits surveyed, platted, recorded, sold, etc., and any citizen is thereby aggrieved, the latter has a remedy by mandamus or other proceedings in the courts. But to say that, because the corporate authorities have failed to take the steps necessary to give citizens an opportunity to purchase lands which have been patented to the corporation, a stranger from another State may seize such lands without money or price and appropriate them to his own use, is reaching a height of absurdity so excessive as to require no argument to show it. People possessed of ordinary intelligence can see it. By the foregoing it is shown, in part, the preposterous character of Mr. Link's actions and pretensions. The legal argument might be pursued further, but we deem it unnecessary to do so at present.

A REASONABLE THROUGH RATE.

J. H. BENNETT, Esq., general passenger agent of the D. & R. G. W., in his usual enterprising and forethoughtful business style, is already working up the tourist traffic toward Salt Lake City. He has addressed a circular to general passenger agents in the east in which, in the first place, he sets forth the superior attractions of Salt Lake, whose claims as a resort for travelers and others are already widely spread by favorable reports carried home by former visitors. He directs the attention of those whom he addresses to the fact that all the lines interested have arranged for a tourist rate from all points on the Missouri River, of \$41.50 for the round trip. This rate is to take effect on and after March 1st. It is a reasonable one and will doubtless have the effect of attracting a tremendous influx of visitors here next year. Mr. Bennett very properly thinks that it does not extend far enough and thus happily winds up his circular: "I beg to suggest that the matter of establishing a low tourist rate from points east of the river, to be used in conjunction with the rate named, is well worthy of your early and careful consideration." Doubtless the eastern agents will settle the point and act upon the idea.

THE LAND JUMPING QUESTION.

THE municipal election being over, the interest of the local public is being centered upon the land jumping scheme which has developed within the last few days. That it now has the appearance of a land-stealing conspiracy is placed beyond doubt by the fact that a number of parties participated in it, and have gone to work on the game of grab.

It is possible that there may be an ulterior object on the part of the land jumpers, their aiders, abettors and sympathizers, beyond the mere seizure and attempt to appropriate the property in question. Be that as it may, what has the appearance of an attempted steal by what seems to be a nest of unscrupulous adventurers is the subject the public have to do with at this juncture.

The News has already endeavored to show that the conspirators have not the shadow of a right to the property they seized by forcible detainer—legal or otherwise. It has been intimidated from certain quarters, in consequence, that this journal has been trying this dispute forced upon the people by a lot of unscrupulous schemers, outside the courts. It is presumable that by this it is meant that what on its face appears to be a gross piece of dishonesty in which the general public is deeply interested, the general safety being at stake, a newspaper should shut its columns against comment upon such a palpable outrage until the matter drags its slow length along through the judicial tribunals.

While others may show unbecomingly apathetic or tacit sympathy by preserving a significant silence upon so grave a subject, that is not the position of this journal. Neither can it be reasonably the position of any honorable citizen who has the welfare of the community at heart. We cannot concede any right in the premises in behalf of land jumpers—who to our way of thinking, are not a step in advance of train robbers—by silence, much less by holding out straws to be struck by the breeze of sympathy toward any such schemers. We cannot consistently assume such an attitude toward characters who commit what has the appearance of one of the most audacious outrages of its class ever perpetrated in any locality. Land sharks are the bane of any community when they set afoot their high-handed conspiracies, and no honorable journal or honest citizen will give them any aid or comfort whatever. There are various ways of sustaining such vultures without coming right out aboveboard and telling them to go ahead and prosper. When it is done the fact is not hidden from the view of any person of ordinary perception.

BILLS WHICH SHOULD BE PASSED.

THERE remains but three weeks of the present session of the Legislature, yet but a fraction of its work has been completed. A large number of important bills remain in the hands of committees, though some of them are of a nature to require careful consideration in open session, and uneasiness is beginning to be felt lest needed laws should not be passed.

The people want a school law, one which they can read and understand for themselves, which school officers can administer with some certainty as to its meaning, and which will foster and protect the interests of education. For several sessions the Legislature has failed to devote to this subject the attention which it deserves. Bills "to amend the school law" have been hastily and carelessly drawn, and as hastily and carelessly passed, and the result is a melange of ambiguities and incon-

sistencies, in the ostensible nature of a school law, under which the district schools, trustees and superintendents are now struggling to perform their work.

So far as we have been able to judge from a cursory examination of it, the school bill introduced by Mr. Allen is, in respect to its mechanical construction at least, a very excellent measure. It contemplates, by its present terms, absolutely free schools in all of the counties and districts of the Territory, but a very slight change in its language would provide for local option instead. This is the principal if not the only feature of the bill concerning which there would likely be a serious difference of opinion in the Assembly, as it necessarily involves the rate of taxation provided for in the bill, for school purposes. With this bill as a foundation, the Assembly might, without a very great expenditure of time or labor, either in committee or open session, give the people a simple, straightforward and complete school code, suitable to the needs of our district school system.

There exists a pressing necessity for a general law in relation to municipal corporations, which shall provide for their growth and expansion, for amendments to their charters, and for such changes as may be necessary from time to time, in their forms of government. Such a law should also provide for the incorporation of towns, and for incorporating them when, as is now the case with Fillmore, the inhabitants so desire. Until such a law shall be passed, all of the cities, towns and villages of the Territory must remain as they now are in respect to corporate powers and privileges.

There is a very general demand throughout the whole Territory for a local option liquor law, and petitions bearing thousands of signatures have been laid before the Assembly, asking for such a statute. On the 14th inst. Mr. Greer, chairman of the House committee on elections, to whom have been referred the local option petitions, stated that his committee would shortly introduce a bill in response to them. Such a measure will attract great attention, as it involves heavy financial interest, and requires to be drawn and considered with great care, as it is reasonably certain that, should it become a law, its principal features will be severely tested in the courts, as the liquor traffic is wont to fight, with great and persistent determination, any law which looks to its curtailment.

The Territory needs a fish and game law, drawn with a view to protecting and preserving these important sources of food supply, rather than in the interests of sporting men. A few days ago a debate occurred in the House upon this subject, which resulted in instructions to the committee on fish and game to prepare such a bill as is needed. The result of these instructions is that committee is being awaited with interest by a numerous class of citizens.

A law in relation to barb wire fences is needed. Any person who is incredulous upon this point and desires to learn the truth, has only to drive a band of range horses along the public highways of almost any of the more thickly settled counties of the Territory. He will find broken or slack strands of wire lying on the ground, and wire fences so out of repair as to tempt the horses into what is little better than a trap for their destruction. The animal becomes entangled in the broken or slack wires, and in a few seconds more damage may be done than many rods of fence would cost. But the bill upon this subject which was introduced into, and finally passed by, the House, occasioned more wrangling than any other measure yet discussed there, and the Council are having even a warmer time over it. Members hold that it favors the stockmen at the expense of the farmer, and though most of the latter own stock, it may be true that the bill is not such a measure as will do justice to both classes. So far as public highways are concerned, they should be protected from the dangers caused by barb wire fences out of repair, and it is to be hoped that the Assembly will agree upon a bill which will afford this protection. But no measure should be passed which favors one class at the expense of another.

A law providing for the payment of jurors and witnesses should be passed. For lack of one great injustice has existed for many years. In connection with this subject there seems to have been much looseness and abuse which the Assembly should look into. A territorial board of equalization is needed, and the important financial question of issuing bonds to raise funds for public uses is demanding attention. Bills upon these subjects have been introduced, but their consideration in open session is likely to consume much time, and appearances indicate that the Assembly has enough work before it to keep it very busy during the remainder of the session.

THE BLAINE DECLINATION.

THE republican papers express surprise and regret at the letter from Blaine declining to be nominated for President. Just why they should be surprised is not so clear to the general reader. It is a well established fact that his political career has consisted for some years of a series of surprises. The Plumed Knight is nothing if not sensational. His political parade in

promoting his claims to the suffrages of the people in the Presidential campaign was a surprise. His recent unprovoked attack upon President Cleveland's message was a surprise and intended as a surprise and put forth evidently for the purpose of keeping James G. Blaine's name prominently before the public. Now it is claimed that the letter of declination is a surprise. However this may be, certain it is that if he shall be renominated for the Presidency—and there is nothing in the letter to prevent it—and shall be elected it will be one of the most genuine and startling surprises that has ever been sprung upon the American people.

As to Blaine's chances of election it is said that the democrats never learn anything and never forget anything. They certainly never have forgotten one thing which seems to have escaped the memory of the republicans, and that is the history of the Presidential campaigns of the United States from Washington down to date, in its bearing upon the future. If we can arrive at any just conclusions of the future by examination of the facts of history then James G. Blaine cannot well hope to be elected, as but few if any men of his political and intellectual prominence ever have been elected president of the United States. Again, while notably the only eligible candidate who can carry the solid vote of this party, he labors under the disadvantage of having been twice defeated, once for the nomination and again in the memorable campaign against Cleveland. There is no one who doubts Mr. Blaine's ability to fill the position, but it would seem that the only ground upon which he can hope for success is that aphorism of the French that it is always the unexpected that happens.

EXPLANATION FROM A PUBLISHING HOUSE.

EACH superintendent of schools in Utah has received a letter from A. S. Barnes & Co., dated Feb. 9th, 1888, from which we extract the following:

"We notice in the Jan. 28th, issue of the DESERET NEWS, an article entitled 'The Cause,' which appears to criticize the action of the different school book publishers whose text-books were adopted by the Utah Text-book Convention held at Salt Lake City in June, 1887. While our firm is not specifically mentioned in said article, the latter seems practically to embrace the publishers as a whole. Not wishing to be included among those who apparently choose to defer shipping books until after the expiration of the introductory period, we beg to state on our own behalf that in August and September of last year, we shipped to the Z. C. M. I., and to other booksellers of Salt Lake City, a liberal supply of all our adopted books, and we notified each County Superintendent, and some eighty recognized merchants in Utah, that we had established a depository at Salt Lake City, where our adopted books could be obtained at the prices proposed by our agent to the Utah Text-book Convention. Furthermore, on the 23rd of December, 1887, we addressed another letter to each County Superintendent in Utah, advising them of the near approach of the end of the introductory period, and suggested that they in turn notify such schools in their respective counties as had not already introduced the adopted books, so that all might have an opportunity to avail themselves of the special introduction and exchange rates. So far as our firm is concerned, we feel that we have done all we could to enable everyone who desired to introduce our books, to procure them at these special rates."

We cheerfully give place to the above, and will add that further inquiry in connection therewith leads in the direction of the conclusion that the lack of all provisions of law for carrying out of the exchange of text books, rather than any fault on the part of the house of A. S. Barnes & Co., is the cause of their books not having been placed within reach of pupils. It may be well to add, however, that this house furnishes books for which the demand has been much smaller than for some others, viz., Short Studies in English, Pathfinder, Physiology and Primary U. S. History. We have the assurance from a number of sources that pupils in various parts of the Territory have not been able to procure these books during considerable periods.

In support of what we have hitherto said relative to this subject, we will state that we had positive information, only a few days ago, to the effect that there were schools in the southern part of the Territory which had not yet made any change of text books for the reason that it was impossible to procure new ones, and that other schools in the same region, whose old books had been collected and boxed up or shipped for purposes of exchange were left almost destitute of books of any kind with which to conduct school exercises. Such a condition existing seven months after the publishers took contracts to supply the demand, proves the shameful injury which has been done to the cause of education in this Territory.

The Territorial School Commissioner, in his report to the Legislature, confessed his inability to locate the

responsibility for this state of things. It is partly due to the fact that no means are provided by law for accomplishing the exchange of text books, but is largely due, as can be amply proven, to the failure of at least some of the publishing houses to fill orders.

A CLOSE CALL.

Logan Tabernacle Narrowly Escapes a Conflagration.

On Monday night, Janitor Burton had finished lighting up the large twelve-light glass chandelier, which hangs in the south-west basement room of the Tabernacle, and made the fires and attended to other duties, preparatory to the First Ward primary meeting which was to be held there that evening. He was in the act of carrying the step-ladder, which had been used in lighting up, from the room, when he was startled by a loud crash; on turning round he was horrified to find that the chandelier had fallen to the floor, and fierce flames were already leaping to the ceiling and spreading among the seats. Realizing that quick action was necessary, he rushed to the little ante-room adjoining, and seized a bed comforter belonging to the Relief Society of the Ward, and was immediately battling with the flames. The quilt was soon consumed, and another procured from the same place. By this time parties from the outside who had seen the flames through the windows, made their appearance and lent a helping hand. The second quilt was almost consumed, the organ was on fire, the flames seemed to be gaining ground, and the smoke was so stifling that a retreat of all hands to the outside was becoming imperative. A large home-made carpet, also belonging to the Relief Society, was very fortunately deposited in the same place as the quilts, and by means of this the flames were soon under control.

There can be no question as to what the result would have been had the accident occurred five minutes later, as the janitor would have been away, and the doors locked, thus giving the fire a chance to get full headway before anything could have been done to check it. Another fortunate circumstance was the discovery of the property of the Relief Society. Without these it would have been difficult work to cope with the flames. The person who hung the chandelier is deserving of censure for the careless manner in which the job was done. The hook placed in the ceiling to carry so heavy a weight was totally insufficient in size and should have been of wrought iron instead of cast.—Utah Journal, Feb. 15.

Salt River Valley, Wyoming.

In reply to a query which appeared at a late issue of the News, the following is furnished, by "A. B. C." and dated Salt River Valley, Wyoming, Jan. 30th:

The News of Jan. 24, just came to hand, and I see that some one wishes to learn the address of "A. B. C." and of the facilities for farming, etc., in Salt River Valley, Wyo. If you will please publish the following it will give all a chance. I have so many letters of inquiry that I cannot answer them all:

Salt River Valley, Wyoming, is 15 miles in length and from 4 to 6 in width. There is more water than can ever be used, flowing from the mountains and in the Salt River. The mountains on both sides of the Valley are covered with red and bird eye pine, principally the latter. There are hundreds of acres of good land not yet taken, but there has been so many people here during the last summer and fall to look that we expect a grand rush for land in the spring. This is a fine country for wheat, oats, barley, potatoes and all the hardy fruits. The stock range extends for some 20 miles around.

Salt River Valley lies 18 miles east of the Cariboo Mountain. It is expected that there will be 3,000 men employed on the Cariboo Mountain next summer. They have already two large stamp mills in running order there and will put up more in the spring.

LIGHTNING HAY KNIFE

This OLD and RELIABLE KNIFE continues to gain in public estimation, and is POSITIVELY THE BEST

Hay Knife known for cutting HAY and STRAW from the Mow, Stack or Bundle. It is a rapid, easy cutter, the blade of the best quality of cast steel, spring tempered, and it is easily sharpened by grinding on the corner of a common grindstone. The invention patented by WEXMOUTH is a sword-shaped blade provided with operating handles, the edge of the sword blade being provided with knife-edged serrations or teeth. We hereby CAUTION all persons interested against buying or selling knives bearing above description, other than the genuine "Lightning," as we shall prosecute all infringements to the full extent of our ability and the law. For sale by the Hardware trade generally.

THE HIRAM HOLT COMPANY,
EAST WILTON, ME.—Oct. 1, 1887